

2. The drawings have been objected to under 37 CFR §1.83(a). In response, new FIGs. 35-37 are proposed that show the steps of claims 1-20. A marked-up FIG. 1 is enclosed that shows the selection processor and commission processor.

3. Claims 2-20, 22-38 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In response, claims 2-20 and 22-38 have been amended to clarify the scope of the claimed invention.

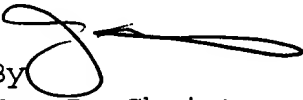
4. Claims 1, 3-5, 9, 11, 12, 19-21, 23-25, 31, 33, 34 and 36 have been rejected as being anticipated by "RFP Marketing Opportunities Abound At 'Design Your Dream House' Site" (RFP). In response, an affidavit under 37 CFR §1.131(b) has been provided by the inventor Bruce A. Fogelson that establishes conception of the invention prior to the effective date of RFP coupled with due diligence from prior to said to date to the filing of this application. Since the claimed invention was conceived prior to the effective date of RFP and was coupled with due diligence, RFP is not an effective prior art reference. Since RFP is not an effective prior art reference, the rejection is believed to be improper and should be withdrawn.

5. Claims 7, 8, 14, 15, 27, 28, 38-42 have been rejected under 35 U.S.C. §103(a) as being obvious over RFP. However, as established by the affidavit of Bruce A. Fogelson, the claimed invention was conceived before the date of the RFP reference. Since the claimed invention was

conceived before the RFP reference, the rejection is believed to be improper and should be withdrawn.

6. Allowance of claims 1-43, as now presented, is believed to be in order and such action is earnestly solicited. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to telephone applicant's undersigned attorney.

Respectfully submitted,
WELSH & KATZ, LTD.

By 
Jon P. Christensen
Registration No. 34,137

January 22, 2003
WELSH & KATZ, LTD.
120 South Riverside Plaza
22nd Floor
Chicago, Illinois 60606
(312) 655-1500

Marked-Up Claims

2. The method of servicing [a] the customer of [a] the contractor as in claim 1 further comprising password protecting the first website.

3. The method of servicing [a] the customer of [a] the contractor as in claim 1 wherein the step of collecting the fee or commission based upon the selection made by the customer further comprises collecting the fee or commission from the contractor.

4. The method of servicing [a] the customer of [a] the contractor as in claim 1 wherein the step of providing the first website further comprises providing a webpage associated with a feature offered by the contractor.

5. The method of servicing [a] the customer of [a] the contractor as in claim 4 wherein the step of providing the webpage further comprises providing a plurality of options on the webpage relating to the feature for selection of the option by the customer.

6. The method of servicing [a] the customer of [a] the contractor as in claim 5 further comprising providing a plurality of webpages each related to a feature provided by the contractor to the customer.

7. The method of servicing [a] the customer of [a] the contractor as in claim 4 further comprising providing a hyperlink to a manufacturer on the webpage for selection by the customer.

8. The method of servicing [a] the customer of [a] the contractor as in claim 7 wherein the step of providing the hyperlink further comprises collecting a commission from the manufacturer for any sale based upon activation of the hyperlink.

9. The method of servicing [a] the customer of [a] the contractor as in claim 1 further comprising providing a second website associated with the first website by the third-party website provider for entry of information related to the customer by the contractor.

10. The method of servicing [a] the customer of [a] the contractor as in claim 9 wherein the entered information further comprises features.

11. The method of servicing [a] the customer of [a] the contractor as in claim 9 wherein the step of providing the second website further comprises allowing access to the second website by a party designated by the customer.

12. The method of servicing [a] the customer of [a] the contractor as in claim 9 wherein the entered information further comprises an identifier of the customer.

13. The method of servicing [a] the customer of [a] the contractor as in claim 9 further comprising password protecting the second website.

14. The method of servicing [a] the customer of [a] the contractor as in claim 1 further comprising displaying an advertisement of a vendor on the first website.

15. The method of servicing [a] the customer of [a] the contractor as in claim 14 further comprising collecting a commission from the vendor for displaying the advertisement.

16. The method of servicing [a] the customer of [a] the contractor as in claim 14 further comprising allowing the contractor to customize the first website for the contractor's product offerings.

17. The method of servicing [a] the customer of [a] the contractor as in claim 14 further comprising providing upselling options to the customer based upon the option selected by the customer.

18. The method of servicing [a] the customer of [a] the building contractor as in claim 1 further comprising providing a third website for access by a general public for general information on features, [such as] where such features further comprise products or fixtures to be installed on-site, building contractor services, labor [and/]or installation provided by the building contractor through the third party website.

19. The method of servicing [a] the customer of [a] the building contractor as in claim 1 further comprising exchanging product, service, labor, installation [and/]or design files between the builder and a third party

contracting designer [for identification of] to create the provided product options [provided by] that are offered to the customer through the first website.

20. The method of servicing [a] the customer of [a] the contractor as in claim 1 further comprising exchanging product files among the builder, suppliers and manufactures using a common file format.

22. The apparatus for servicing [a] the customer of [a] the contractor as in claim 21 further comprising means for password protecting the first website.

23. The apparatus for servicing [a] the customer of [a] the contractor as in claim 21 wherein the means for collecting the commission based upon the selection made by the customer further comprises means for collecting the commission from the contractor.

24. The apparatus for servicing [a] the customer of [a] the contractor as in claim 21 wherein the means for providing the first website further comprises means for providing a webpage associated with a feature offered by the contractor.

25. The apparatus for servicing [a] the customer of [a] the contractor as in claim 24 wherein the means for providing the webpage further comprises means for providing a plurality of options on the webpage relating to the feature for selection of the option by the customer.

26. The apparatus for servicing [a] the customer of [a] the contractor as in claim 25 further comprising means for providing a plurality of webpages each related to a feature provided by the contractor to the customer.

27. The apparatus for servicing [a] the customer of [a] the contractor as in claim 24 further comprising means for providing a hyperlink to a manufacturer on the webpage for selection by the customer.

28. The apparatus for servicing [a] the customer of [a] the contractor as in claim 27 wherein the means for providing the hyperlink further comprises means for collecting a commission from the manufacturer for any sale based upon activation of the hyperlink.

29. The apparatus for servicing [a] the customer of [a] the contractor as in claim 21 further comprising means for providing a second website associated with the first website by the third-party website provider for entry of information related to the customer by the contractor.

30. The apparatus for servicing [a] the customer of [a] the contractor as in claim 29 wherein the entered information further comprises features.

31. The apparatus for servicing [a] the customer of [a] the contractor as in claim 29 wherein the entered information further comprises an identifier of the customer.

32. The apparatus for servicing [a] the customer of [a] the contractor as in claim 29 further comprising means for password protecting the second website.

33. The apparatus for servicing [a] the customer of [a] the contractor as in claim 21 further comprising means for providing a third website for access by a general public for general information on features provided by the contractor.

35. The apparatus for servicing [a] the customer of [a] the contractor as in claim 34 further comprising a password adapted to protect the first website.

36. The apparatus for servicing [a] the customer of [a] the contractor as in claim 34 wherein the first website further comprises a webpage adapted to provide a feature offered by the contractor.

37. The apparatus for servicing [a] the customer of [a] the contractor as in claim 36 further comprising a plurality of webpages adapted to provide a plurality of features provided by the contractor to the customer.

38. The apparatus for servicing [a] the customer of [a] the contractor as in claim 34 further comprising a hyperlink to a manufacturer on the webpage for selection by the customer.

39. The method of servicing the customer as in claim 1 wherein the product, service or installation service offerings further comprise fixtures to be delivered for

installation [and/]or installed within the building or renovation of the real estate by the building contractor for the customer.

40. The [method of] apparatus for servicing the customer as in claim 21 wherein the product, service or installation service offerings further comprise fixtures to be installed within the building or renovation of the real estate by the building contractor for the customer.

42. The [method of] apparatus for servicing the customer as in claim 34 wherein the product, service or installation service offerings further comprise fixtures to be installed within the building or renovation of the real estate by the building contractor for the customer.

43. The [method of] apparatus for servicing the customer as in claim 34 further comprising providing a virtual showroom [of] that displays product offerings to the customer by the third-party website provider.

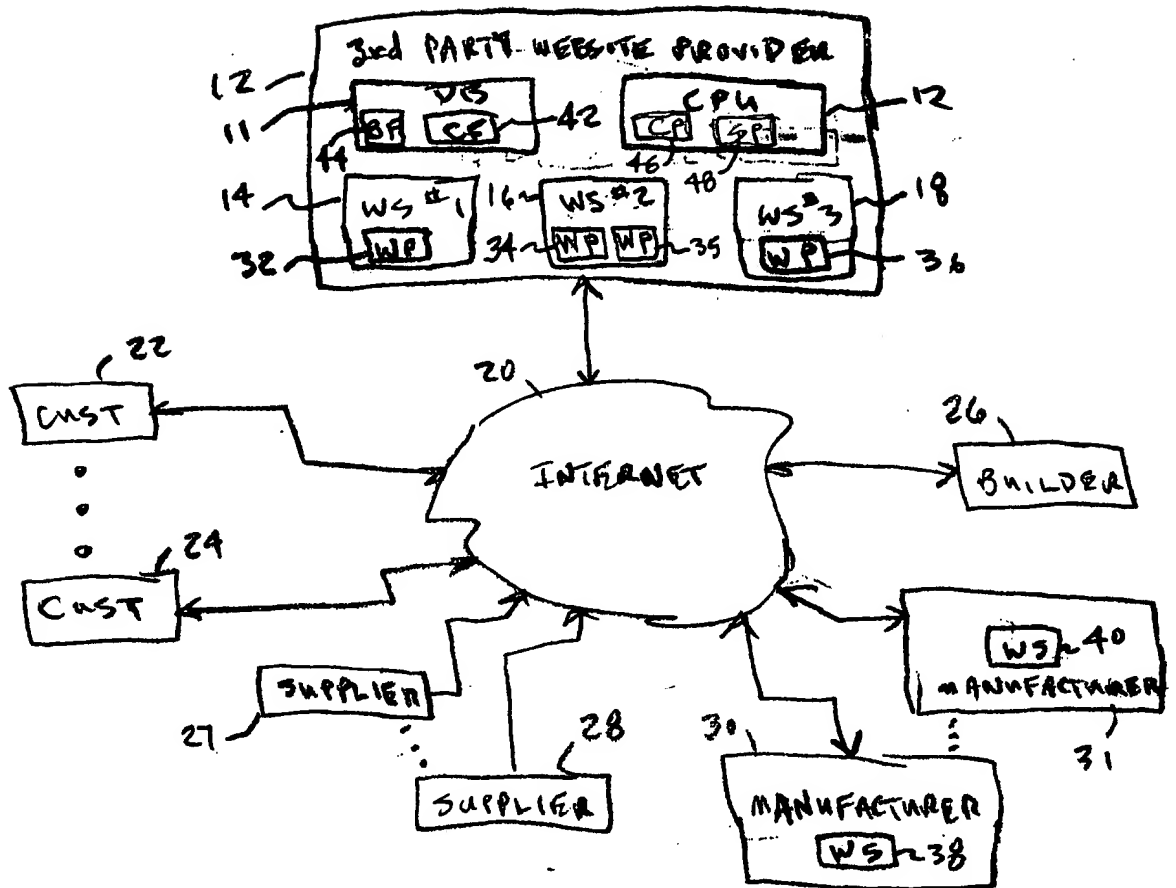
Marked-Up Paragraphs

On page 15, lines 13-22 change the paragraph to read as follows:

Using the webpage 32, the customer 22, 24 may view and select standard options and extras for his particular house, which may be received by a selection processor 48 and stored in the customer file 42. As the customer 22, 24 selects standard options and extras through his webpage 32, the builder 26 may review those selections through his website 16, if he has been given access to the customer file 42. Alternatively, the customer 22, 24 may e-mail a file containing one or more of the selections to the builder 26.

On page 15, lines 23-29 change the paragraph to read as follows:

Under the illustrated embodiment, an owner of the third-party website provider 12 may receive a commission for processing the selections of each customer 22, 24. The commission may be a flat fee or may be a percentage of purchases collected by a commission processor 46. The details, scope and situations given rise to a commission will be discussed in greater detail below.



10

FIG. 1

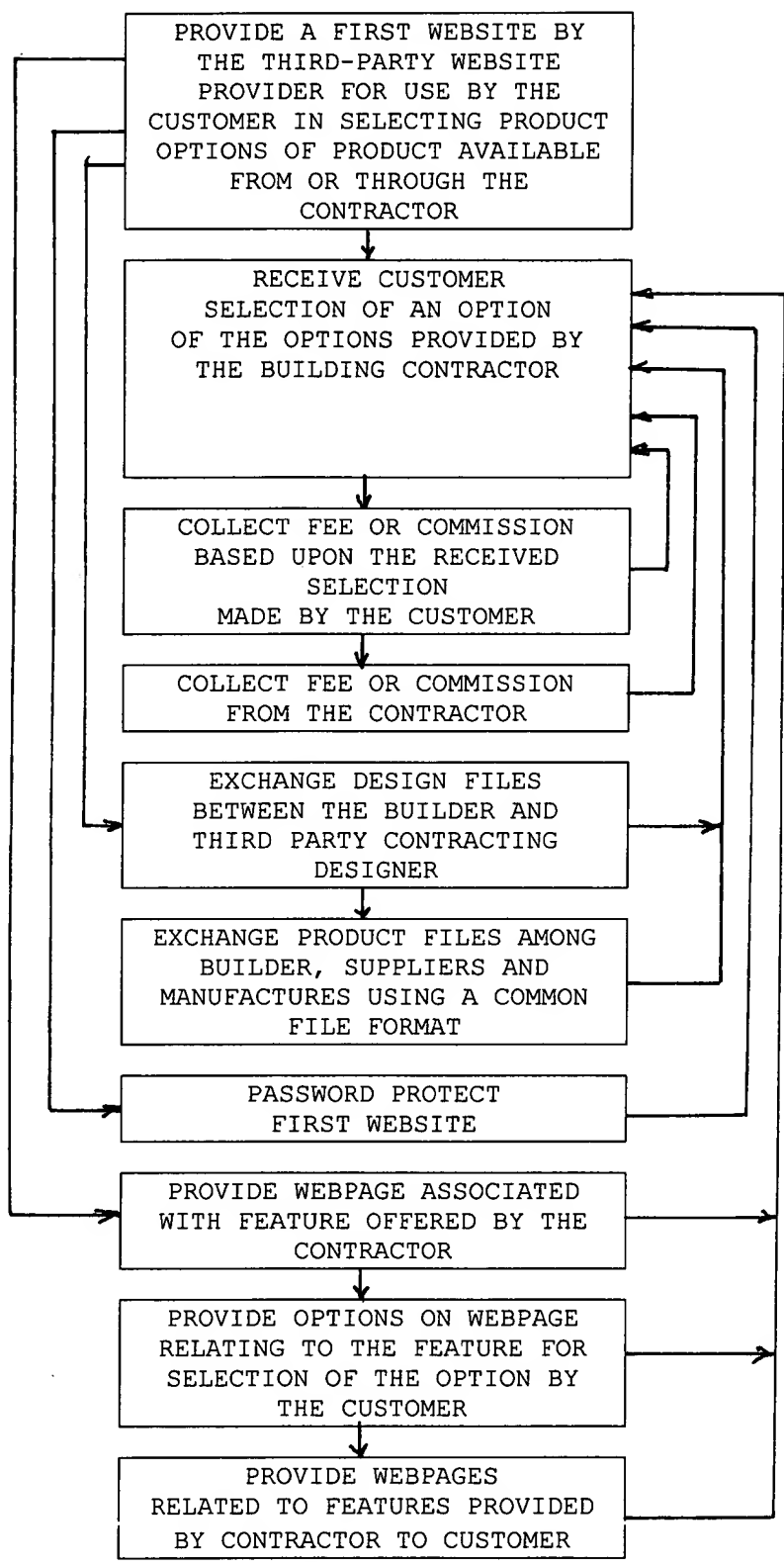


FIG. 35

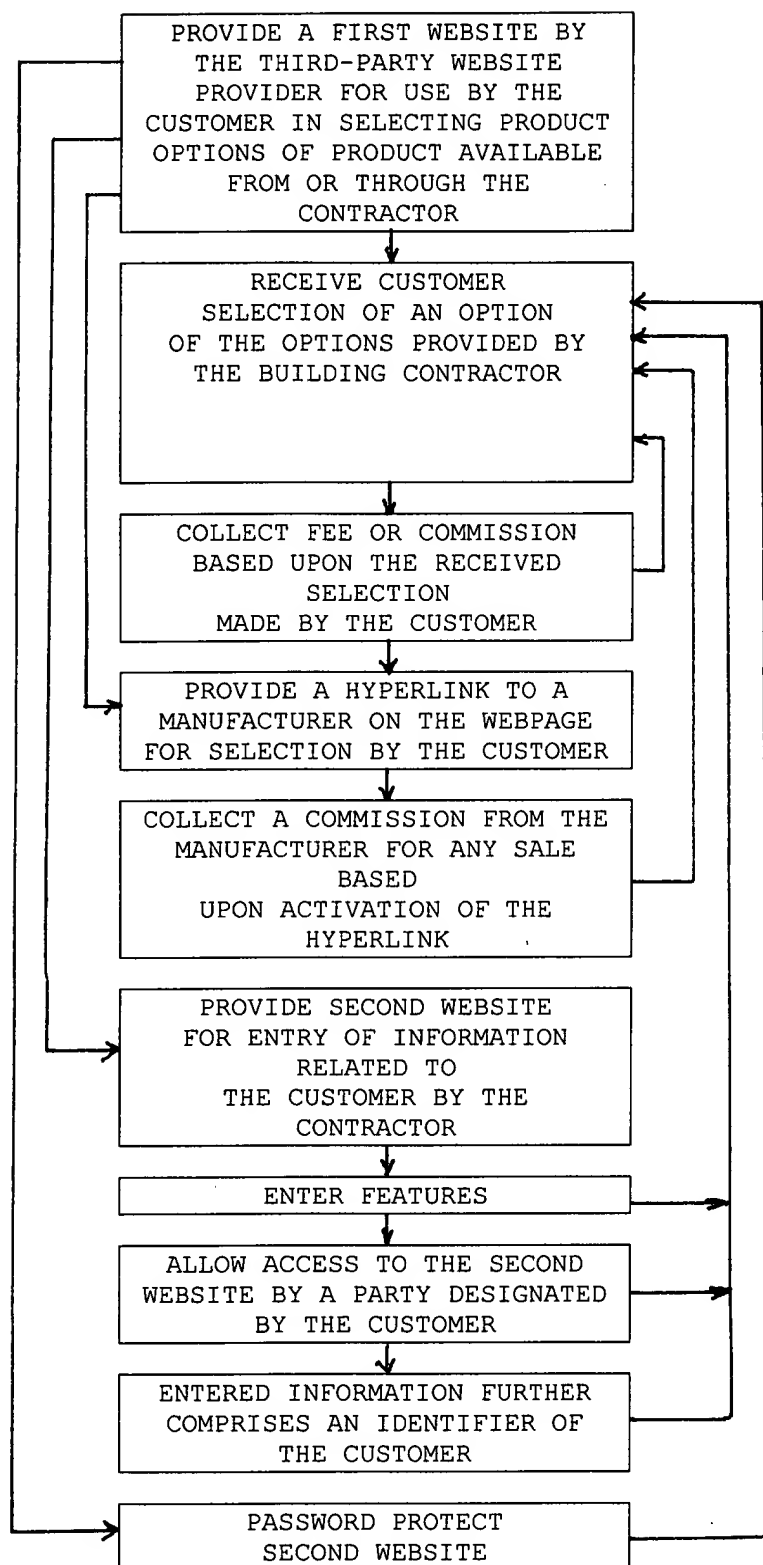


FIG. 36

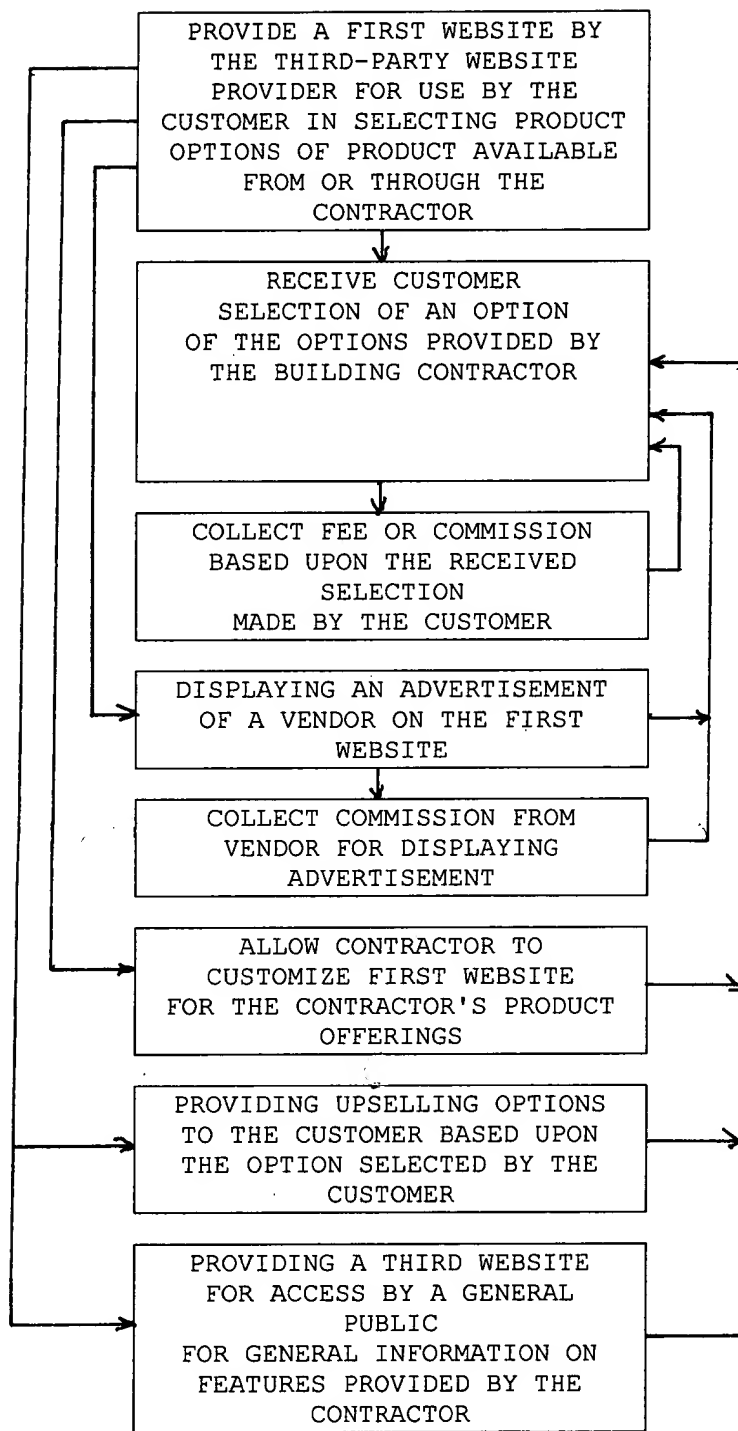


FIG. 37